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REMARKS

Applicant acknowledges that claims 1-7 are pending in the application, and that the Office currently holds claims 1-7 as rejected. Applicant herein adds new claim 8-10. New claims 8-10 add no new matter to the application.

In the Specification

Applicant herein amends the specification as filed at page 11, line 9 (paragraph [0066] as reflected in the publication document (US 2004/0128619)) to correct a typographical error. Specifically, at the cited location the reference number of the contact aid feature is amended to read --34--, rather than [[32]]. Support for the "contact aid 34" can be found at numerous location in the disclosure. See for example[0064].

Claim Objection

The Office objects to claims 1, 2, 4 and 5 as lacking antecedent basis for the phrase "the" contact mechanism, and requires correction.

In response, Applicant asserts that the disclosure identifies a "contact mechanism" as the same feature as a "contact aid." See the specification as filed at page 11, lines 4 and 5, where the "contact aid" and the "contact mechanism" of the present invention are interchangeably referred to using reference numeral 34. Also see lines 9 and 15 on the same page. However, in the interest of expediting prosecution, and to make clearer that which Applicant considers to be his invention, Applicant herein amends the claims to equate the "contact aid" and "contact mechanism" terms to the same feature. This amendment is supported in the disclosure as noted above, and adds no new matter to the application.

35 USC §102(b)

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The Office holds claim 6 rejected under 35 USC §102(b) as being anticipated by Rasmussen *et al.* (US 2002/0126990, the '990 reference). In response, Applicant herein amends claim 6 to recite the "customer relationship management module" feature of the present invention. The Office already acknowledges that the CRMM feature distinguishes over Rasmussen. See Examiner's comments at page 5. The amendment of claim 6 adds no new matter to the invention. Support for the customer relationship module amendment can be found in origin claim 1 and the disclosure at various places.

35 USC §103(a)

The Office holds the claims 1-5 and 7 rejected under 35 USC §103(a) as being unpatentable over Rasmussen *et al.* (the '990 reference) in view of Martin *et al.*, US 2002/0120519 (the '519 reference). Applicant respectfully traverses this rejection.

Prima Facie Obviousness

The PTO has the burden under 35 USC §103 of establishing a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074 (Fed. Cir. 1988). To establish a *prima facie* case of obviousness, three basic criteria must be met (MPEP §706.02(j)):

- (1). There must be some suggestion or motivation in the reference itself to modify the reference or combine the teachings of the references to seek the invention of the instant claims; and
- (2). There must be a reasonable expectation of successfully accomplishing the invention of the instant claims; and
- (3). The prior art reference (or references when combined) must teach or suggest all the instant claim limitations.

The failure of a reference or combination of references to meet any one of these criteria renders the reference or combination insufficient as a basis for a §103 rejection of the subject claim.

Regarding Claims 1, 4 and 7: Failure to Teach/Suggest All Claim Limitations

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Applicant submits that regarding independent claims 1, 4 and 7, the Office has failed to establish a *prima facie* case of obviousness, because the cited reference fails to teach or suggest all the claimed limitations.

The Office alleges that the Rasmussen '990 reference teaches the claimed "media" in the abstract of the '990 reference. However, the term "media" does not expressly appear in the abstract. Therefore, the Office must be alleging that an equivalent of the media of Applicant's claims appears in the abstract. Applicant presumes the alleged equivalent of Applicant's media must be the "video stream" noted in the abstract and referenced as "streaming media" elsewhere in Rasmussen. It is clear from the Rasmussen disclosure, that the only media of the '990 reference is streaming video. More specifically, the media of the '990 reference is "streaming" media. See abstract and paragraphs [0007] and [0026]. In contrast, the media of the present invention clearly includes print media. See FIG. 2 and paragraphs [0043], [0054] and [0074] of Applicant's publication document.

However, in the interest of expediting prosecution and to more clearly point out that which Applicant considers to be his invention, Applicant herein amends the subject claims to recite that the media of the present invention includes both traditional and electronic media. See paragraphs [0043], [0054] and [0074] for support.

Because the cited references neither alone or in combination teach or suggest all the instant claim limitations, and the "all elements" requirement of a *prima facie* case is not met and the present rejection of claims is not proper under the MPEP.

Regarding Claims 2 and 5: Failure to Teach/Suggest All Claim Limitations

With respect to claims 2 and 5, the Office alleges that Rasmussen at paragraph [0034] teaches "the contact mechanism is selected from a group of contact mechanisms, including a character-specific postal address, telephone number, email, SMS, chat room address, IP address, web page address, activatable mailto hyperlink and hypertext link to a URL" of the instant claims

However, the Office has mis-characterized the disclosure of Rasmussen paragraph [0034]. The only address taught in [0034], indeed anywhere in the

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Rasmussen disclosure, is an "email or web" address. Contrary to the Office's allegation, there is no disclosure in Rasmussen of all of the limitations of instant claims 2 and 5. Specifically, for example, there is no teaching or suggestion of a "postal address," or a "telephone number" of the instant claims. Nor is there any teaching or suggestion of their equivalent.

Because the cited references neither alone or in combination teach or suggest all the instant claim limitations, and the "all elements" requirement of a *prima facie* case is not met and the present rejection of claims is not proper under the MPEP.


Regarding Dependent Claims: Rejection Moot

In view the above amendment and remarks regarding the independent claims, Applicant submits that the current rejection of dependent claims under §103(a) is now moot.

Applicant believes that the above amendments and remarks are fully responsive to the Office Action mailed 16 May 2006. Applicant respectfully requests reconsideration and removal of all objections and rejections of claims, and that, in view of the above amendments and remarks, the application is now in condition for allowance. Applicant respectfully requests the Examiner to contact the undersigned to timely resolve any minor issues that may remain in the application. Alternatively, Applicant invites the Examiner to suggest alternative claim language for Applicant's consideration, in order to facilitate timely prosecution of this application.

16 August 2006
Date

Respectfully submitted,


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